

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 RUSSELL CATES,

7 Defendant.  
8

Case No. 2:20-mj-519-VCF

FINDINGS AND ORDER

FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
May 20, 2021	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

9 Based on the pending Stipulation between the defense and the government, and good  
10 cause appearing therefore, the Court hereby finds that:

11 1. The parties desire to continue the preliminary hearing to facilitate pre-  
12 indictment resolution. A plea agreement has been reached between the parties, and the  
13 agreement has been submitted for the court's consideration. The Court finds good cause to  
14 continue the hearing to allow the court additional time to decide whether to accept the plea.

15 2. Both counsel for defendant and counsel for the government agree to the  
16 continuance.

17 3. Defendant is in custody and agrees to the continuance.

18 4. The continuance is not sought for the purposes of delay, but to allow the court  
19 an opportunity to examine the merits of this case before deciding whether to accept the  
20 parties' plea agreement.

21 5. Denial of this request could result in a miscarriage of justice, and the ends of  
22 justice served by granting this request outweigh the best interest of the public and the  
23 defendants in a speedy trial.  
24

6. The additional time requested by this stipulation is excludable in computing the time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b), and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

THEREFORE, IT IS HEREBY ORDERED that the preliminary hearings in the above-captioned matter, previously scheduled for May 26, 2021, at 4:00 p.m., be vacated and continued to July 6, 2021 at 4:00 pm in LV Courtroom 3D before Magistrate Judge Cam Ferenbach.

DATED this 20th day of May, 2021.

*Car. F. Baker*

HONORABLE CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE